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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S. B. CRIMINAL REVISION PETITION NO. 1383/ 2003

SANTOSH @ SUPRIYA VS. NAND KISHORE

DATE: 12.04.2007.

HONBLE MR. K. S. RATHORE, J.

Mr. Keshav Agarwal for the petitioner.

Mr. Vikas Sharma for the respondent.

* * * *

The present criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the petitioner-wife against the judgment dated 11.11.2003 passed by the Family Court No.2, Jaipur in Case No. 68/2001, whereby the Family Court has dismissed the application filed by the petitioner-wife under Section 125 Cr.P.C. for maintenance.

I have heard rival submissions of the respective parties and have also gone through the impugned judgment dated 11.11.2003 passed by the Family Court No., 2, Jaipur as also the relevant record.

It appears that the Family Court has not considered each and every aspect and on wrong premises dismissed the application moved by the petitioner-wife under Section 125 Cr.P.C. for maintenance.

Therefore, in the interest of justice, I deem it proper to quash and set-aside the impugned judgment

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dated 11.11.2003 passed by the Family Court No.2, Jaipur and remand the matter back to the Family Court for fresh adjudication and decide the application of the petitioner-wife moved under Section 125 Cr.P.C. in accordance with the provisions of law.

With these observation, the revision petition stands disposed of.

Record be sent back forthwith.

(K. S. RATHORE), J.

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